Reg. No. KRNA—25.

Karnataka Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-B (i)

BANGALORE, THURSDAY, SEPTEMBER 25, 1975
(ASVIJA 3, SAKA ERA 1897). | No. 3491

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 67 LGN 75

Bangalore, dated the 25th September 1975.

Ordered that the Karnataka State Universities Ordinance, 1975 promulgated by the Governor of Karnataka in the Twenty-sixth Year of the Republic of India, be published as Karnataka Ordinance No. 12 of 1975 in the *Karnataka Gazette* for general information.

KARNATAKA ORDINANCE No. 12 OF 1975

THE KARNATAKA STATE UNIVERSITIES ORDINANCE, 1975.

(Promulgated by the Governor of Karnataka in the Twenty-sixth Year of the Republic of India and First published in the Karnataka Gazette on the Twenty-fifth day of September, 1975).

An Ordinance to provide for a uniform law relating to Universities in the State of Karnataka.

Whereas in order to provide for a uniform law relating to Universities in the State, the Karnataka State Universities Bill, 1974 was introduced in the State Legislative Assembly;

Whereas the said Bill was referred to a Joint Select Committee of both Houses of the State Legislature;

Whereas the said Bill as reported by the Joint Select Committee is pending consideration by the Legislature;

Whereas the Karnataka Legislative Assembly is not in session and only the Karnataka Legislative Council is in session and the Governor of Karnataka is satisfied that circumstances exist which render it necessary for him to take immediate action to provide for a uniform law relating to Universities in the State;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Karnataka hereby promulgates the following Ordinance, namely:—

CHAPTER I

PRILIMINARY

1. Short title and commencement.—(1) This Ordinance may be called the Karnataka State Universities Ordinance, 1975.

(2) It shall come into force at once.

2. Definitions.—In this Ordinance and in the Statutes, Ordinances, Regulations and Rules, unless the context otherwise requires,—

(1) "appointed date" means the date of commencement of this Ordinance;

(2) "college" means an institution maintained by the University as such and includes an institution admitted to the privileges of the University as an affiliated college of the University in accordance with the provisions of this Ordinance;

(3) "hostel" means a unit of residence for students of the University maintained or recognised by the University in accordance with the provisions of this Ordinance;

(4) "Principal" means the Head of a college;

(5) "registered graduate" means a graduate registered or deemed to be registered under this Ordinance;

(6) "Statutes", "Ordinances", "Regulations" and "Rules" means respectively the Statutes, Ordinances, Regulations and Rules of the University made under this Ordinance;

(7) "teachers" includes Professors, Readers, Lecturers and other persons imparting instruction in any affiliated college;

(8) "teachers of the University" means persons appointed for the purpose of imparting instruction in the University or in any college maintained by the University;

(9) "University" means a University established and incorporated under section 3;

(10) "University Area" means the area under the jurisdiction of a University.

CHAPTER II

THE UNIVERSITIES

3. Establishment and incorporation of Universities.—(1) There shall be established with effect on and from the appointed date the following Universities, namely:—

(a) the Bangalore University with headquarters at Bangalore and territorial jurisdiction over the area comprising the districts of Bangalore, Kolar and Tumkur:

(b) the Karnatak University with headquarters at Dharwar and territorial jurisdiction over the area comprising the districts of Belgaum, Bellary, Bidar, Bijapur, Dharwar, Gulbarga, North Kanara and Raichur ;

(c) the Mysore University with headquarters at Mysore and territorial jurisdiction over the area comprising the districts of Chikmagalore, Chitradurga, Coorg, Hassan, Mandya, Mysore, South Kanara and Shimoga.

(2) Notwithstanding anything contained in sub-section (1), the State Government may, at any time, by notification,—

(a) exclude from the territorial jurisdiction of any University any area or include therein any additional area ;

(b) establish a new University altering the territorial jurisdiction of one or more Universities established and incorporated under sub-section (1) :

Provided that no notification establishing a new University shall be issued unless a resolution to that effect has been passed by both Houses of the State Legislature.

(3) Every notification establishing a new University shall specify the name and headquarters of such University, its territorial jurisdiction, and the date from which such University shall be established. Upon the establishment of the new University, sub-section (1) shall stand amended in the manner specified in the notification.

(4) (i) The Chancellor, the Vice-Chancellor and the members of the Senate, the Syndicate and the Academic Council of the University shall constitute a body corporate by the name of the University specified in sub-section (1) or in the notification issued under sub-section (2), as the case may be.

(ii) Each of the said Universities shall have perpetual succession and a common seal and may, by its name, sue and be sued.

(5) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell

or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it, for the purposes of the University and to borrow moneys from the Central Government, the State Government or from any body corporate approved by the State Government and to contract and to do all other things necessary for the purposes of this Ordinance.

(6) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by, and all processes in such suits and proceedings shall be issued to and be served on, the Registrar.

4. Powers of the University.—Subject to the provisions of this Ordinance and such conditions as may be prescribed by the Statutes or Ordinances, the University shall have the following powers and perform the following duties namely :—

(i) provide for instruction, teaching and training in such branches of learning and courses of study as it may think fit and make provision for research and dissemination of knowledge ;

(ii) hold examinations and grant and confer degrees, diplomas and other academic distinctions on persons who—

(a) have pursued a course of study in the University or in any college, unless exempted therefrom in the manner prescribed by the Statutes, Ordinances or Regulations, and have passed the examinations prescribed by the University ; or

(b) have carried on research under conditions prescribed by the Statutes or Ordinances ;

(iii) confer honorary degrees or other distinctions on persons in the manner laid down by the Statutes ;

(iv) grant diplomas and provide such lectures and instruction for persons not being enrolled students of the University, as the University may determine ;

(v)co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;

(vi) institute, suspend or abolish Professorships, Readerships, Lectureships, and any other teaching posts required by the Universities;

(vii) institute and award fellowships, travelling fellowships, scholarships, studentships, stipends, medals and prizes;

(viii) maintain and administer Colleges, Laboratories, Libraries, Museums, Printing Presses, Institutes of Research and other institutions necessary to carry out the objects of the University;

(ix) establish, maintain and administer hostels;

(x) supervise and control the residence and discipline of students of the University;

(xi) make arrangements for promoting the health and general welfare of the students of the University;

(xii) fix fees, demand and receive such fees and other charges as may be prescribed by Ordinances;

(xiii) make special arrangements in respect of residence, discipline and teaching of women students and persons belonging to the Scheduled Castes, Scheduled Tribes and such socially and educationally backward classes as the State Government may, from time to time, declare;

(xiv) create administrative, ministerial and other necessary non-teaching posts;

(xv) accept, hold and manage any endowments, donations or funds which may become vested in the University for the purpose of the University by grant, testamentary disposition or otherwise and invest such endowments, donations of funds in any manner that may be deemed fit:

Provided that no donation from a foreign country or any person in such a country shall be accepted save with the approval of the State Government;

(xvi) undertake publication of works of merit and research and general knowledge;

(xvii) organise, encourage, regulate and control University Unions pertaining to the students or to employees;

(xviii) maintain—

(a) a Bureau of information,
(b) an Employment Bureau,
(c) a Publications Department,
(d) University Extension Boards and
(e) Student Welfare Bureau;

(xix) recommend admission of educational institutions not maintained by the University to the privileges of the University as affiliated colleges and recommend suspension or withdrawal of such affiliation;

(xx) make grants from the funds of the University—

(a) for extra-mural teaching,
(b) for physical and military training,
(c) for students' unions,
(d) for sports and athletic clubs, and
(e) for the maintenance of institutions or associations devoted to educational purposes;

(xxi) provide through its Professors and other teachers and the Departments and special research Institutes, such teaching and guidance as the affiliated colleges may require;

(xxii) borrow moneys with or without security for such purposes as may be approved by the State Government, from the Central Government, any other Government or the University Grants Commission or from any other incorporated body approved by the State Government;

(xxiii) to recognise for any purpose, either in whole or in part, any institution on such terms and conditions as may, from time to time, be prescribed by statutes and to withdraw such recognition;

(xxiv) do such other acts and things, whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the University and generally to cultivate and promote arts, science and other branches of learning and culture.

5. Jurisdiction, admission to privileges etc.—(1) Save as otherwise provided in this Ordinance, the powers of the University conferred by or under this Ordinance shall be exercised in the University Area and no educational institution beyond the said area shall be associated with or admitted to any privileges of the University:

Provided that the benefit of correspondence course or external degree courses may be extended by the University to students outside the University Area.

(2) Subject to the provisions of any other law relating to Universities for the time being in force, no educational institution situate within the University Area shall be associated in any way with or be admitted to any privileges of and affiliated to any other University established and incorporated by law and any such affiliation granted by any such other University to any such institution within the said territorial jurisdiction prior to the appointed date shall be deemed to be withdrawn on that date.

(3) All educational institutions,—

(i) admitted to the privileges of the Bangalore University under the Bangalore University Act, 1964,

(ii) admitted to the privileges of or affiliated to the Karnatak University under the Karnatak University Act, 1949,

(iii) admitted to the privileges of or affiliated to the Mysore University under the Mysore University Act, 1956 except institutions situated in Kolar and Tumkur districts,

before the appointed date, shall, with effect on and from that date and subject to the provisions of Chapter IX be deemed to be institutions admitted to the privileges of or affiliated to the Bangalore University or the Karnatak University or the Mysore University, as the case may be, established under this Ordinance. The educational institutions situate in Kolar and Tumkur districts affiliated to the Mysore University before that date shall be deemed to be affiliated to the Bangalore University:

Provided that any recommendation for affiliation made in accordance with any of the said enactments pending with the State Government on the appointed date shall be deemed to be a recommendation made for affiliation to the appropriate new University established under this Ordinance and shall be disposed of by the State Government on this basis.

(4) The colleges, attached hostels, other buildings, together with the articles of furniture, libraries, books, laboratories, stores, instruments, apparatus, appliances and equipment and all other property, movable and immovable, belonging to the Bangalore, Karnatak and Mysore Universities and all proceedings, including legal proceedings pending prior to the appointed date shall, with effect on and from that date, stand transferred to or continued by or against, as the case may be, the Bangalore University, Karnatak University and Mysore University established under section 3.

(5) When any new University is established under sub-section (2) of section 3, all educational institutions situate within the territorial jurisdiction of that University and affiliated to any of the Universities established under section 3 before the establishment of that University shall, with effect on and from that date, be deemed to be institutions affiliated to the said new University.

(6) The provisions of sub-section (5) shall **mutatis mutandis** be applicable to the educational institutions

situate within the areas included in the territorial jurisdiction of any University established by notification under sub-section (2) of section 3.

6. University open to all classes.—(1) The University shall be open to all persons of either sex and of whatever race, creed, caste or class and it shall not be lawful for the University to impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or student or to hold any office therein or to graduate thereat or to enjoy or exercise any privilege thereof.

(2) Subject to the provisions of sub-section (1), the University shall, in accordance with the special or general directions of the State Government, reserve seats for purposes of admission as students in any college or institution maintained or controlled by the University for the following classes of persons, namely :—

(i) the Scheduled Castes and the Scheduled Tribes;

(ii) classes declared by the State Government from time to time to be socially and educationally backward ;

(iii) nominees of the Central Government ;

(iv) defence personnel and ex-servicemen and their children or wards ; and

(v) children of freedom fighters.

(3) The University may, subject to like orders, grant to persons falling under all or any of the categories specified in sub-section (2) any exemption from payment of such fees or boarding, lodging or other charges or from all fees and charges or provide such special scholarships.

Explanation.—For purposes of this section,—

'Freedom fighter' means any person who on account of participation in the national movement,—

(a) had been sentenced to imprisonment for not less than six months : or

(b) had been kept in detention (including detention as under trial prisoner) for not less than six months ; or

(c) lost his job or means of livelihood or the whole or substantial part of his property ; and

who has domicile in the State of Karnataka for a period of not less than five years immediately preceding the date on which the application for admission or exemption is made.

7. Teaching and Research in the University.—(1) Subject to the control of the Academic Council, all recognised teaching in connection with the University courses shall be conducted by teachers of the University in accordance with any syllabus prescribed by the Regulations and shall include lecturing, laboratory work and other teaching.

(2) The organising of such teaching shall be by such authorities as may be prescribed by the Statutes.

(3) The courses and curricula shall be prescribed by the Ordinances and subject thereto, by the Regulations.

8. Inspection and control.—(1) (a) The State Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of the University, its buildings, laboratories, libraries, museum, workshops and equipment and any institution maintained, administered, recognised or approved by the University and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the University.

(b) The State Government shall, in every case, give notice to the University of its intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented and heard thereat.

(2) The person directed to make an inspection under sub-section (1) shall have access to the premises and institutions to be inspected and to all the accounts and other records relevant for the purpose.

(3) The State Government may address the Vice-Chancellor with reference to the result of such inspection and inquiry, and the Vice-Chancellor shall communicate to the Syndicate the views of the State Government in respect of the action to be taken thereon by the University.

(4) The Syndicate shall communicate to the State Government through the Vice-Chancellor such action, if any, as it has taken or it proposes to take.

(5) Where the Syndicate does not within a reasonable time, take action to the satisfaction of the State Government, the State Government may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as it may think fit and the Syndicate shall be bound to comply with the same.

(6) Without prejudice to the foregoing provisions, the State Government may, by order published in the official Gazette, annul any proceedings of the University which is not in conformity with this Ordinance, the Statutes or the Ordinances :

Provided that before making any such order the State Government shall call upon the University to show cause why such an order should not be made and if any cause is shown within a reasonable time, shall consider the same.

(7) The Syndicate shall furnish such returns, statements, accounts or other particulars relating to the administration of the University as the State Government may, from time to time, require.

(8) Every order passed under sub-section (6) shall, as soon as may be, laid before both Houses of the State Legislature.

CHAPTER III

Officers of the University

9. Officers of the University.—The following shall be the officers of the University namely :—

(a) The Chancellor,

(b) The Vice-Chancellor,

(c) The Registrar,

(d) The Controller of Examinations,

(e) The Finance Officer,

(f) The Deans,

(g) The Librarian,

(h) The Dean of Student Welfare,

(i) Such other officers of the University as the Chancellor may, on the recommendation of the Vice-Chancellor, from time to time, designate.

10. The Chancellor.—(1) The Governor of Karnataka shall, by virtue of his office, be the Chancellor of the University.

(2) The Chancellor shall be the Head of the University and shall, when present, preside at the meetings of the Senate and at any Convocation of the University.

(3) The Chancellor shall have such other powers as are may be conferred on him by or under this Ordinance or the Statutes.

11. The Vice-Chancellor.—(1) The Vice-Chancellor shall be a wholetime officer of the University.

(2) The Vice-Chancellor shall be appointed by the Chancellor from out of a panel of not less than three persons

recommended by a committee consisting of four persons of whom one shall be nominated by the Chancellor, one by the State Government, one by the University Grants Commission and one by the Syndicate. No person nominated as a member of the committee shall be connected with the University or any college or institution affiliated to the University. The Chancellor shall appoint one of the four members to be the Chairman of the committee :

Provided that no person shall be appointed or hold office as Vice-Chancellor if he has attained the age of sixty five years:

Provided further that if the Chancellor does not approve of any one of the persons recommended by the committee he may call for fresh recommendation from the committee.

(3) The Vice-Chancellor shall, subject to the pleasure of the Chancellor and the first proviso to sub-section (2), hold office for a period of three years; but he shall be eligible for reappointment.

(4) The emoluments and other service conditions of the Vice-Chancellor shall be such as may be determined by the Chancellor and shall not be varied to his disadvantage after his appointment.

(5) If a Professor in the service of any University in the State is appointed as Vice-Chancellor, his terms and conditions of service as Professor shall not be revised to his disadvantage during his tenure as Vice-Chancellor and he shall retain his lien on his post.

12. The powers of the Vice-Chancellor.—(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general control over the affairs of the University. He shall exercise all powers necessary for the due maintenance of discipline in the University.

(2) He shall **ex-officio** be the Chairman of the Syndicate, the Academic Council and the Finance Committee. He shall also preside over the Senate and at the Convocation in the absence of the Chancellor. He shall be entitled to be present at and to address any meeting of any authority or body of the University but shall not be entitled to vote thereat unless he is member of such authority or body.

(3) The Vice-Chancellor shall ensure the observance of the provisions of this Ordinance, the Statutes, Ordinances, Regulations and Rules and he shall have all powers necessary for that purpose.

(4) He may, either himself or through any officer of the University authorised in writing by him convene the meetings of the Senate, the Syndicate, the Academic Council and the Finance Committee and shall perform all such acts as may be necessary to carry out and give effect to the decision of the said authorities.

(5) In case of any emergency which, in his opinion requires immediate action the Vice-Chancellor shall take such action as he deems necessary and shall at the earliest opportunity thereafter report the action taken to such officer, authority or body as would in the ordinary course have dealt with the matter:

Provided that if the action taken by the Vice-Chancellor is not approved by the officer, authority or body concerned he may through the State Government refer the matter to the Chancellor whose decision shall be final:

Provided further that if the decision taken by the officer, authority or body on the report of the Vice-Chancellor under this sub-section affects adversely any person in the service of the University, that person shall be entitled to prefer an appeal to the Chancellor through the State Government within thirty days from the date on which the decision was communicated to him and the decision of the Chancellor on such appeal shall be final.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

13. Arrangement of work during vacancy in the office of the Vice-Chancellor.—(1) During the temporary absence of the Vice-Chancellor by reason of leave, illness or any other cause, the Chancellor may make such arrangements for carrying on the duties of the Vice-Chancellor as he may deem fit.

(2) During the period a vacancy in the office of the Vice-Chancellor remains unfilled such person as the Chancellor may appoint shall act as Vice-Chancellor and the person so appointed shall have all the powers of the Vice-Chancellor and shall be entitled to the privileges of the Vice-Chancellor and to such emoluments and allowances as may be determined by the Chancellor.

14. The Registrar.—(1) The Registrar shall be a whole-time officer of the University appointed by the Chancellor in consultation with the Vice-Chancellor and the State Government. His emoluments and terms and conditions of service shall be as determined by the Chancellor in like manner.

(2) The Registrar shall **ex-officio** be the Secretary of the Senate, the Syndicate, the Academic Council and the Faculties.

(3) It shall be the duty of the Registrar,—

(a) to be the custodian of the records, the common seal and such other property of the University as the Vice-Chancellor or the Syndicate shall commit to his charge;

(b) to issue all notices convening meetings of the Senate, the Syndicate, the Academic Council, the Faculties, the Boards of Studies and of any Committee appointed by the Authorities of the University and to keep minutes of all such meetings;

(c) to conduct the official correspondence of the Authorities of which he is the Secretary;

(d) to supply to the Chancellor and the State Government copies of the agenda of the meetings of the Authorities of the University as soon as they are issued and the minutes of meetings of the Authorities, ordinarily within a month of the holding of the meeting.

(4) The Registrar shall exercise such other powers and perform such other duties as may be prescribed by the Statutes, Ordinances or Regulations or required from time to time by the Vice-Chancellor.

(5) The Registrar may be assisted in his duties by one or more Deputy Registrars.

15. The Controller of Examinations.—(1) The Controller of Examinations shall be a whole-time officer of the University appointed by the Chancellor in consultation with the Vice-Chancellor and the State Government. His emoluments and terms and conditions of service shall be as determined by the Chancellor in like manner.

(2) He shall be in charge of the conduct of examinations of the University and matters relating thereto and shall perform such other duties as may be prescribed by the Statutes or Ordinances or required by the Vice-Chancellor.

(3) The Controller may be assisted in his duties by one or more Deputy Controllers

16. The Finance Officer.—(1) The Finance Officer shall be a whole-time officer of the University appointed by the Chancellor from a panel of three officers of the Central Government, having experience in audit, accounting and financial administration. He shall be on deputation to the University for such period and on such terms and conditions as may be determined by the Chancellor.

(2) The Finance Officer shall, subject to the control of the Finance Committee, exercise and perform such powers and functions as may be prescribed by the Statutes.

17. Deans.—(1) Every Head of a Department of Studies who is a Professor shall, by rotation according to

seniority, act as the Dean of the Faculty for a period of two years :

Provided that if in any Faculty there is no Professor, the seniormost Reader shall act as the Dean and if there is no Reader, such teacher as the Vice-Chancellor may designate shall act as the Dean.

(2) The Dean of each Faculty shall be the executive officer of the Faculty and shall preside at its meetings.

(3) The Dean shall issue the programme of work of the University in the Departments comprised in the Faculty and shall be responsible for the conduct of teaching thereon.

(4) The Dean shall have such other powers and functions as may be prescribed by the Statutes and Ordinances.

18. Dean of student-welfare.—(1) The Dean of Student-welfare shall be a whole-time officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of the Syndicate.

(2) The term of office and the emoluments and other conditions of service of the Dean of student-welfare shall be such as may be prescribed by the Statutes.

(3) The Dean of student-welfare shall exercise such powers and perform such functions as may be conferred or imposed on him by the Vice-Chancellor or as may be prescribed by the Statutes or Ordinances or Regulations.

19. The Librarian.—The Librarian shall be a whole-time officer of the University and shall be appointed by the Chancellor on the recommendation of the Board of Appointment referred to in section 50. He shall possess such qualifications and exercise such powers and discharge such duties as may be prescribed by the Statutes. His emoluments and terms and conditions of services shall be such as may be prescribed by the Statutes. He shall ex-officio be the Head of the Department of Library Science.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

20. Authorities of the University.—The following shall be the Authorities of the University, namely :—

(a) The Senate;

(b) The Syndicate;

(c) The Academic Council;

(d) The Finance Committee;

(e) The Board of Studies;

(f) The Faculties; and

(g) Such other bodies as by Statutes be declared to be the Authorities of the University.

21. The Senate.—(1) The Senate shall consist of the following members, namely :—

(1) The Chancellor;

(2) The Vice-Chancellor;

(3) All the Deans of Faculties;

(4) The Director of Public Instruction, Karnataka;

(5) The Director of Collegiate Education, Karnataka;

(6) The Director of Languages and Development of Kannada, Karnataka;

(7) The Director of Pre-University Education, Karnataka;

(8) The Director of Youth Services, Karnataka;

(9) The Director of Technical Education, Karnataka;

(10) The Director of Social Welfare, Karnataka;

(11) The Librarian;

(12) The Director of Physical Education in the University;

(13) The Director of Correspondence Course/External Course in the University;

(14) Five members of the Karnataka Legislative Assembly elected from amongst themselves;

(15) Two members of the Karnataka Legislative Council elected from amongst themselves;

(16) The Dean of Student-Welfare;

(17) Ten Principals nominated by the Chancellor in consultation with the Vice-Chancellor, by rotation for a period of one year;

(18) Five representatives of teachers other than Professors and Directors in post-graduate department elected from amongst themselves;

(19) Five Professors and Directors in post graduate departments elected from amongst themselves;

(20)Seven persons elected by the Registered Graduates in the manner specified below:—

(a) one by Registered Graduates in Law from amongst themselves;

(b) one by Registered Graduates in Engineering from amongst themselves;

(c) one by Registered Graduates in Commerce from amongst themselves;

(d) four by Registered Graduates other than those specified in clauses (a) to (c) from amongst themselves:

Provided that for the purpose of election of members by the Registered Graduates, a person entitled to stand as a candidate or to vote in more than one constituency shall before such date as may be appointed by the Statutes, elect the constituency from which he desires to stand as a candidate or to vote at the election and shall not be entitled to stand or vote in more than one constituency;

(21) One woman registered graduate elected by the registered graduates;

(22) Five elected representatives of students of the University, two from among post graduate students and three from among under-graduate students;

(23) Fifteen persons nominated by the Chancellor in consultation with the Vice-Chancellor from among persons having special knowledge of Literature, Science, Arts, Co-operation and Social service of whom—

(i) five shall be persons belonging to Scheduled Castes;

(ii) one shall be a person belonging to Scheduled Tribes;

(iii) five of whom at least one is a woman belonging to any of the classes declared by the State Government from time to time to be socially and educationally backward;

(iv) two shall be persons belonging to religious minorities;

(v) one shall be a person nominated by the Chancellor from among a panel of five persons recommended by the Karnataka Union of working Jurnalists; and

(vi) one shall be a person representing trade and commerce.

(2) No non-teaching employee of the University or an affiliated college shall be eligible to be elected or nominated to the Senate.

(3) The Controller of Examinations and the Finance Officer shall be permanent invitees to all the meetings of the Senate.

22. **Meetings of the Senate.**—(1) A meeting of the Senate shall be held at least twice every year on dates to be fixed by the Vice-Chancellor. One of such meetings shall be the annual meeting.

(2) A report of the working of the University during the previous year together with a statement of receipts and expenditure, the financial estimates and the last audit report shall be presented by the Syndicate at the annual meeting.

(3) The Vice-Chancellor may, whenever he thinks fit and shall, upon a requisition in writing signed by not

less than twenty-five members of the Senate, convene a special meeting of the Senate.

23. **Powers and functions of the Senate.**—(1) The Senate shall have power to review from time to time the policies of the University and to suggest measures for the improvement and development of the University and to consider the annual accounts and audit reports of the University.

(2) Without prejudice to the generality of the foregoing, the Senate shall have the following powers namely :—

(a) making provision for instruction, teaching and training in such branches of learning and courses of study as it may think fit for research and for the advancement and dissemination of learning;

(b) making provision as will enable affiliated colleges and recognised institutions to undertake specialisation of studies;

(c) establishing and maintaining departments of research and specialised studies;

(d) making recommendations to the Syndicate to institute professorships, readerships, lecturerships or any other posts of teachers required by the University;

(e) instituting fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(f) instituting and conferring degrees, titles, diplomas and other academic distinctions;

(g) conferring on the recommendation of the Syndicate, honorary degrees, titles or other academic distinctions;

(h) making, amending or repealing Statutes;

(i) considering, cancelling, referring back but not amending Ordinances;

(j) considering the annual financial estimates prepared by the Syndicate;

(k) electing members to such authorities as provided in this Ordinance or the Statutes;

(l) conferring on the recommendation of the Syndicate, the title of Professor Emeritus;

(m) exercising such other powers and performing such other duties as may be conferred or imposed upon it by this Ordinance, the Statutes, Ordinances and Regulations:

Provided that the power under clauses (a) to (g) shall not be exercised except on the recommendations made by the Syndicate and the Academic Council.

24. The Syndicate.—The Syndicate shall consist of the following members, namely:—

(i) The Vice-Chancellor;

(ii) The Director of Collegiate Education, Karnataka;

(iii) The Director of Technical Education, Karnataka;

(iv) One Dean, by rotation according to seniority nominated by the Chancellor from among those who are not Principals of Colleges, for a period of one year;

(v) Principals of the three Colleges including at least one Principal of a Women's College, by rotation according to seniority nominated by the Chancellor for a period of one year;

(vi) Three persons, none of whom being an employee of the University or an affiliated college or a representative of students, elected by the Senate from among its members;

(vii) One Professor of post-graduate studies by rotation according to seniority nominated by the Chancellor for a period of one year;

(viii) Three persons nominated by the Chancellor of whom one shall be a person belonging to the Scheduled Castes, one shall be a person belonging to such socially and

educationally backward classes of citizens specified by State Government from time to time;

(ix) One person elected by the Academic Council.

25. Powers of the Syndicate.—(1) Subject to the general directions of the Senate, the Syndicate shall have the power of management and administration of the revenues and properties of the University and the control of all administrative affairs of the University.

(2) Without prejudice to the generality of the foregoing, the Syndicate shall have the following powers, namely:—

(a) to manage and regulate the finances and all other administrative affairs of the University and for that purpose to appoint such agents as it may think fit;

(b) to enter into, vary, carry out and cancel contracts on behalf of the University;

(c) to appoint subject to the provisions of section 31, examiners and moderators and if necessary to change or to remove them and also to fix their fees, emoluments and travelling and other allowances;

(d) to make arrangements for the conduct of examinations;

(e) to receive, acquire, hold, control and administer the properties of the University, both movable and immovable and to invest the funds of the University;

(f) to borrow moneys from the Central Government, any other Government or incorporated body approved by the State Government;

(g) to cause to be maintained proper accounts regarding the funds of the University and its properties;

(h) to prescribe, charge and collect fees—

(i) for tution and resarch;

(ii) for admission to the examinations and to convocations;

(iii) for such other services as the University may undertake;

(iv) for affiliation and inspection of colleges and for the registration of graduates; and

v) for such other purposes as may be prescribed by the Statutes;

(i) to prepare the financial estimates of the University and to submit the same to the Senate;

(j) to administer and control the colleges, hostels, libraries, laboratories, museums and other Institutions established or maintained by the University;

(k) to make recommendations regarding admission of colleges as affiliated colleges;

(l) to recognise hostels not administered by the University and to suspend or withdraw recognition;

(m) to supervise and control the residence and discipline of the students of the University and to make arrangements for promoting their health and well being;

(n) to constitute and regulate the working of the Employment Bureau and the Bureau of Information;

(o) to delegate such of its functions to the Vice-Chancellor as may be prescribed by the Statutes;

(p) to select a common seal for the University and to provide for its custody and use;

(q) to arrange for the conduct of litigations by or against the University;

(r) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Ordinance.

26. Academic Council.—The Academic Council shall consist of the following members, namely:—

(i) The Vice-Chancellor;

(ii) Three members of the Syndicate nominated by the Chancellor;

(iii) One member of the Senate elected by its members;

(iv) The Deans of Faculties;

(v) The Heads of Post-Graduate Departments of Studies;

(vi) Twenty-five per cent of the Principals of Colleges nominated by the Vice-Chancellor by rotation according to seniority, for a period of one year;

(vii) Ten teachers who are not Deans of Faculties or Heads of Post-Graduate Departments of Studies or Principals of colleges, elected from amongst themselves;

(viii) Six persons nominated by the Chancellor, from amongst eminent educationists, of whom not less than two shall be persons belonging to the Scheduled Castes or the Scheduled Tribes and not less than two shall be persons belonging to such socially and educationally backward classes of citizens specified by the State Government fro time to time;

(ix) The Director of Public Instruction, Karnataka,

(x) The Director of Collegiate Education, Karnataka;

(xi) The President of the Adult Education Council

(xii) The Director of Physical Education in the University;

(xiii) The Director of Technical Education, Karnataka;

(xiv) The Controller of Examinations.

27. **Powers of the Academic Council.**—(1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Ordinance, the Statutes and the Ordinances, have the control and general regulation of and be responsible for the maintenance of the standards of instruction, education and examinations of the University.

(2) Without prejudice to the generality of the foregoing provisions and subject to such conditions as may be prescribed by or under the provisions of this Ordinance, the Academic Council shall exercise the following powers namely :—

(a) to make proposals for Ordinances relating to academic matters;

(b) to make Regulations regarding the courses of study in so far as they are not covered by the Ordinances;

(c) to make Regulations regarding the schemes of examinations and conditions on which the students shall be admitted to the examinations, degrees, diplomas, certificates or other academic distinctions;

(d) to declare the results of the various University examinations or to appoint committees or officers to do so;

(e) to arrange for co-ordination of studies and of teaching in colleges and in recognised institutions;

(f) to formulate schemes for promoting research within the University or for promoting other specialised studies;

(g) to make proposals for allocating subjects to the Faculties and to assign its own numbers to the Faculties;

(h) to fix the conditions under which exemptions relating to the admission of students to examinations may be given;

(i) to make proposals for the institution of Professorships, Readerships, Lecturerships and other posts of teachers required by the University and for prescribing the duties of such posts;

(j) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions and for their award;

(k) to make regulations prescribing equivalence of examinations;

(l) to make regulations for granting exemptions from approved courses of study in the University or in affiliated colleges for qualifying for degrees, diplomas and other academic distinctions;

(m) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by this Ordinance, the Statutes, Ordinances or Regulations; and

(n) generally to advice the University on all academic matters.

28. **Faculties.**—(1) The University shall have the F :ulties of Arts, Commerce, Education, Engineering, Law, Science and Technology and such other Faculties as may be prescribed by the Statutes from time to time.

(2) (a) Each Faculty shall consist of such Departments of Studies as may be assigned to it by the Ordinances.

(b) No Department of Studies shall be established or abolished except by Statutes.

(c) Each Department of Studies shall consist of the following members, namely :—

(i) Teachers of the Department ;

(ii) Persons appointed to conduct research in the Department ;

(iii) The Dean of the Faculty ;

(iv) Honorary Professors, if any, attached to the Department ;

(v) Such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

(d) Each Department of Studies shall have a Head who may be a Professor or if there is no Professor, a Reader and whose duties and functions shall be as prescribed by the Ordinances :

Provided that if there are more Professors or as the case may be, Readers than one in any Department, no person shall be appointed to be the Head of the Department except in accordance with the provisions made in this behalf by the Ordinances :

Provided further that if there is no Professor or Reader in a Department, the Dean of the Faculty concerned shall be the Head of that Department.

(3) Each Faculty shall consist of the following members, namely :—

(i) The Dean of the Faculty ;

(ii) The Heads of Departments of Studies in the Faculty ;

(iii) All Professors in the Faculty from each Department in the Faculty ;

(iv) One Reader and one Lecturer in each Department of Studies nominated by the Vice-Chancellor, by rotation according to seniority, for a period of two years ;

(v) the seniormost teacher in the subject concerned nominated by the Vice-Chancellor from each of the twenty-five per cent of the colleges providing instruction in any of the subjects assigned to the Faculty, by rotation for a period of two years.

(vi) Such other persons as may be specified by the Statutes.

(4) The Faculties shall exercise such powers and perform such functions as may be prescribed by the Statutes.

29. Board of Studies.—(1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Ordinances.

(2) The constitution, functions and powers of the Boards of Studies shall be as prescribed by the Statutes.

30. Finance Committee.—(1) There shall be a Finance Committee consisting of the following members, namely :—

(i) the Vice-Chancellor, **Ex-Officio** Chairman ;

(ii) one member of the Syndicate elected by its members ;

(iii) one member of the Senate elected by its members ;

(iv) an officer of the Finance Department not below the rank of a Deputy Secretary nominated by the State Government ;

(v) the Controller of State Accounts, Government of Karnataka ;

(vi) the Finance Officer, **Ex-officio** Member Secretary.

(2) The Registrar shall be a permanent invitee to the Finance Committee.

(3) The Finance Committee shall perform the following functions, namely :—

(i) to scrutinise the annual budget estimates and make its recommendations to the Syndicate;

(ii) to conduct the general examinations of the accounts of the University, review the yearly audit reports and make its recommendations thereon;

(iii) to examine all proposals of the University involving expenditure for which no provision is made in the budget or involving expenditure in excess of the amount provided for in the budget;

(iv) such other functions as may be prescribed by the Statutes.

(4) Notwithstanding anything in the preceeding subsection, the Vice-Chancellor may, in case of urgency and for reasons to be recorded in writing, incur any expenditure not exceeding rupees five thousand in any one case for which no provision is made in the budget or which is in excess of the provision made in the budget without reference to the Finance Committee, but such expenditure shall be reported at the next earliest meeting of the Finance Committee.

(5) Where the votes on any subject considered by the Finance Committee are equally divided, the Vice-Chancellor shall have the casting vote.

31. Board for appointment of examiners.—(1) A Board shall be constituted every year for each Faculty for the purpose of preparing lists of persons for appointment as University Examiners and the Board shall consists of—

(i) the Vice-Chancellor—**Ex-officio** Chairman;

(ii) the Dean of the Faculty concerned;

(iii) two members nominated by the Syndicate;

(iv) two members nominated by the Academic Council;

(v) the Chairman of the Board of Studies in the particular subject; and

(vi) the Controller of Examinations—**Ex-officio** Member Secretary.

(2) The Board shall prepare the lists from amongst persons included in the panels to be prepared by the Board of Studies and shall submit them for approval to the Syndicate which shall then appoint the examiners :

Provided that no change in the list shall be suggested or made by the Syndicate except by passing a resolution stating the specific ground on which each change suggested or made is based.

(3) If, for any reason, any examiner is unable to accept the examinership and a fresh appointment cannot be made in time by the Syndicate the Vice-Chancellor shall appoint another examiner and report such appointment to the Syndicate.

(4) No member of the Syndicate or of the Board shall be appointed as examiner except by a resolution of the Syndicate passed by two-thirds of the members present.

32. Other Boards.—(1)The University may establish,—

(i) a Board for Extra mural studies,

(ii) a Board for Student-Welfare, and

(iii) such other Boards as may be prescribed by Statutes.

(2) The constitution, functions and powers of the Boards established under sub-section (1) shall be as prescribed by the Ordinances.

33. Term of office of members of the Senate, Syndicate and Academic Council.—(1) The term of office of the members other than the **ex-officio** members of the Senate, Syndicate and Academic Council shall be three years.

(2) Save as otherwise provided in this Ordinance, the Senate, the Syndicate and the Academic Council shall be reconstituted at or about the same time and the members of the said authorities shall, except in the case of **ex-officio** members, hold office as members thereof up to the date of next reconstitution :

Provided that the term of a member appointed to fill a casual vacancy shall be the residuary term of his predecessor.

34. **Method of election of members of the Senate, the Syndicate and the Academic Council.**—The method of election of members of the Senate, Syndicate and the Academic Council shall be as prescribed by the Statutes.

CHAPTER V

Statutes, Ordinances, Regulations and Rules

35. **Statutes.**—Subject to the provisions of this Ordinance, the Statutes may provide for all or any of the following matters, namely :—

(a) the constitution, functions and powers of the Authorities of the University and such other bodies as may be declared to be the Authorities of the University from time to time;

(b) the election and continuance in office of the members of the said Authorities or bodies, including the continuance in office of the first members and the filling of vacancies of members and all other matters relating to those Authorities or bodies of which it may be necessary or desirable to provide;

(c) the conferment of Honorary Degrees;

(d) holding of convocations for conferring degrees and diplomas;

(e) the withdrawal of degrees, diplomas, certificates and other academic distinctions;

(f) the establishment, maintenance and abolition of faculties, departments, hostels, colleges and institutions;

(g) the conditions under which colleges may be affiliated and under which such affiliation may be withdrawn;

(h) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;

(i) the institution, suspension or abolition of Professorships, Readerships, Lecturerships, ministerial and non-teaching posts;

(j) the procedure to be followed at meetings of such other authorities or bodies including the quorum for the transaction of the business by them;

(k) the classification of teachers of the University and in the affiliated colleges;

(l) making provision regarding method of recruitment of teachers;

(m) the conditions of service including emoluments of all the employees of the University;

(n) acceptance and management of bequests, donations and endowments;

(o) the registration of graduates and maintenance of the register of registered graduates; and

(p) all other matters which by this Ordinance are to be or may be provided for by the Statutes.

36. **The Statutes—their making.**—(1) The Statutes may be made, amended or repealed by the Senate in the manner hereinafter provided.

(2) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal made by the Syndicate. Where the draft is not prepared by the Syndicate, the Senate shall obtain the opinion of the Syndicate thereon before considering the same:

Provided that if the Syndicate fails to submit its opinion within three months from the date it receives the draft the Senate may proceed to take the draft into consideration.

(3) The Senate if it thinks necessary, may also obtain the opinion of any officer, authority or body of the University in regard to the draft Statutes before it takes them into consideration:

Provided that where such draft Statutes pertain to academic matters, the Senate shall obtain the opinion of the Academic Council before considering it.

(4) Every Statute passed by the Senate shall be submitted to the Chancellor through the State Government for assent. The Chancellor may give or withhold his assent thereto or refer it back to the Senate for further consideration.

(5) No Statute passed by the Senate shall have validity until assented to by the Chancellor.

37. **Ordinances.**—Subject to the provisions of this Ordinance and the Statutes, the ordinances may provide for all or any of the following matters namely :—

(a) admission of students to the University and their enrolment as such;

(b) courses of study for all degrees, diplomas and certificates of the University;

(c) degrees, diplomas and certificates and other academic distinctions to be awarded by the University, the qualifications for the same and the measures to be taken relating to the granting and obtaining the same;

(d) fees to be charged for the courses of study in the University and in the affiliated colleges and for admission to the examination, degrees and diplomas of the University;

(e) conditions relating to the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;

(f) conduct of examinations including the term of office and the duties of examining bodies, examiners and moderators;

(g) conditions of residence of students of the University;

(h) special arrangements, if any, which may be made for the residence, discipline and teaching of women students and prescribing for them special courses of study where necessary;

(i) regulating the giving of religious instruction;

(j) management of colleges and other institutions founded or maintained by the University;

(k) supervision and inspection of colleges and other institutions affiliated to the University;

(l) fees to be charged for the services rendered by the University;

(m) conditions for recognition of hostels not maintained by the University;

(n) health and discipline of students in the University and in the affiliated colleges and other institutions;

(o) rules to be observed and enforced by the colleges and recognised institutions in respect of transfer of students; and

(p) all other matters which by this Ordinance or by the Statutes are to be or may be provided for by the Ordinances.

38. Ordinances—their making.—(1) The Ordinances may be made by the Syndicate in the manner hereinafter provided.

(2) In making Ordinances, the Syndicate shall consult,—

(a) the Board or Boards of Studies concerned when such Ordinances affect the duties of examiners; and

(b) the Academic Council, when such Ordinances affect the courses of study, conduct or standard of examinations or the conditions of residence of students.

(3) Every Ordinance made by the Syndicate shall be submitted to the Chancellor through the State Government.

(4) The Syndicate shall not have power to amend any draft of an Ordinance proposed by the Academic Council but it may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part, together with such amendments as the Syndicate may suggest.

(5) When the Syndicate has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Chancellor through the State Government.

(6) The Chancellor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance and any order of suspension under this sub-section shall cease to have effect on the expiration of one month from such order or the expiration of fifteen days from the date of consideration of the Ordinance by the Syndicate whichever period expires later.

(7) The Chancellor may, at any time after an Ordinance has been considered by the Syndicate, signify to the Syndicate his disallowance of such Ordinance and from the date of receipt by the Syndicate of intimation of such disallowance such Ordinance shall cease to have effect.

(8) Save as provided in sub-sections (5), (6) and (7) all Ordinances shall have effect from the date of their publication in the official Gazette or such other date as the Syndicate may direct.

39. Regulations.—(1) The Academic Council may, subject to the approval of the Chancellor sought and obtained through the State Government make Regulations consistent with this Ordinance, the Statutes and the Ordinances.

(2) The Regulations may provide for exercising all or any of the powers enumerated in section 27 and particularly for the following matters, namely :—

(a) admission of students to the University;

(b) recognition of examinations and degrees of other Universities as equivalent to the examinations and degrees of the University;

(c) the University courses and examinations and conditions on which students of the University or the affiliated colleges or of other University Institutions shall be admitted to examinations or degrees, diplomas and certificates of the University;

(d) the granting of exemptions.

(3) Every Regulation shall come into force on the date it is approved by the Chancellor or on such other date as the Chancellor may direct. The Regulations shall also be published in the official Gazette.

40. Rules.—(1) Any authority of the University specified in clauses (d) to (g) of section 20 and any other Board of the University may, subject to the approval of the Syndicate, make rules consistent with this Ordinance, the Statutes, the Ordinances and the Regulations.

(2) The rules may provide for —

(a) the giving of notice to the members of each authority or Board of the dates of meetings and of the business to be transacted at the meetings and also for keeping a record of the proceedings of meeting;

(b) the procedure to be followed at their meetings and number of members required to form the quorum for meetings; and

(c) all matters solely concerning such authority or Board and not provided for by this Ordinance, the Statutes, the Ordinances or the Regulations.

(3) The Syndicate may refuse to approve the rules submitted or may return them to the Authority or Board concerned for further consideration or may approve the Rules without modification or subject to such modification as the Syndicate deems fit.

(4) Every rule made under this section shall come into force on the date it is approved by the Syndicate. It shall also be published in the official Gazette.

CHAPTER VI

Finance and Accounts

41. University Funds.—(1) The amounts received from any of the following sources shall form part of the University Fund :—

(a) any contribution or grant made by the State Government;

(b) any contribution or grant made by the University Grants Commission or by the Central Government;

(c) any bequests, donations, endowments or other grants made by private individuals or institutions;

(d) the income received by the University from fees and charges;

(e) the amounts borrowed by the University ; and

(f) the amounts received from any other source.

(2) The University Fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934, or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 or the Fund may be invested in securities authorised by the Indian Trusts Act, 1882, as may be decided by the Syndicate.

(3) The Fund may be employed for any of the purposes of the University in the manner prescribed.

42. Power to borrow.—The University may, with the previous sanction of the State Government as regards

the purpose and amount of loan and subject to such conditions as may be specified by the State Government as to security, rate of interest and repayment of principal and interest borrow any sum of money from the Central Government, any other State Government, the University Grants Commission or any other incorporated body.

43. **Annual Accounts and Audit.**—(1) The annual accounts of the University shall be prepared under the direction of the Syndicate.

(2) The accounts of the University shall, at least once in a year be audited by the Controller of State Accounts.

(3) The accounts when audited shall be published by the Syndicate in the official Gazette and a copy of the accounts together with the audit report shall be placed before the Senate and shall also be submitted to the State Government. The State Government shall lay the same before both Houses of the State Legislature at their next earliest session.

(4) The annual accounts shall be considered by the Senate at its annual meeting. The Senate may pass resolutions with reference thereto and communicate the same to the Syndicate. The Syndicate shall consider the suggestions made by the Senate and take such action thereon as it thinks fit. The Syndicate shall inform the Senate at its next meeting all action taken by it or the reasons for not taking action.

44. **Financial estimates.**—(1) The Syndicate shall prepare before such date as may be prescribed by the Statutes the financial estimates for the ensuing year and place the same before the Senate.

(2) The Syndicate may, in cases where expenditure in excess of the amount provided in the Budget is to be incurred or in cases of urgency for reasons to be recorded in writing, incur any expenditure for which the provision

made in the Budget is insufficient or where no provision has been made in respect of such excess expenditure, a report shall be made to the Senate at its next meeting.

45. **Power of Government to direct audit.**—The State Government shall have power to direct when deemed necessary an audit of the accounts of the University including those of the institutions managed by it by such auditors as it may specify.

46. **Annual Report.**—(1) The Syndicate shall prepare the Annual Report containing such particulars as the State Government may specify, covering each financial year and submit it to the Senate on or before such date as may be prescribed by the Statutes. The Senate may pass resolutions thereon and the Syndicate shall take action in accordance therewith. The action taken shall be intimated to the Senate.

(2) Copies of the Annual Report along with the resolution of the Senate thereon shall be submitted to the State Government. The State Government shall lay the same before both Houses of the State Legislature at their next earliest session.

CHAPTER VII

Vacancies in the Authorities and Elections.

47. **Vacating of Office.**—(1) Any member, other than the ex-officio member, of any Authority or body of the University may resign his office by a letter addressed to the Registrar and the resignation shall take effect on receipt of such letter by the Registrar.

(2) No member of any Authority or body of the University who is elected, appointed or nominated in his capacity as a member of a particular electorate or body or

as a teacher or, where expressly stated so, as the holder of a particular appointment, shall continue to be a member of such Authority or body on his ceasing to be a member of the particular electorate or body or a teacher or the holder of that particular appointment.

(3) A member of any Authority or body of the University shall cease to be a member on his being convicted by a court of law for any offence involving moral turpitude.

48. Filling of vacancies.—All vacancies among the members (other than Ex-officio members) of any Authority or other body of the University by reason of death, resignation or otherwise shall be filled, as soon as conveniently may be, by the person or body who appointed, nominated, elected or co-opted the member whose place has become vacant and the person so appointed, nominated, elected or co-opted shall be a member of such authority or body for the unexpired portion of the term for which the member in whose place such person is appointed, nominated, elected or co-opted, would otherwise have continued in office:

Provided that pending the appointment, nomination or election of any person to fill any such vacancy in the manner aforesaid, the vacancy (other than a vacancy in the Senate) may be filled by the Chancellor by nomination of any person qualified to fill such vacancy under the provisions of this Ordinance and any person so nominated shall hold office as a member of such Authority or body until a person is appointed, nominated, elected or co-opted thereto in accordance with the provisions of this Ordinance.

49. Disputes regarding membership.—(1) If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor.

(2) The decision of the Chancellor on that question shall be final and shall not be called in question in any court of law.

CHAPTER VIII

Appointment of Teachers and other Servants of the University.

50. Appointments of Teachers, etc.—(1) There shall be a Board of Appointment for selecting persons for appointment as Professors, Librarian, Readers and Lecturers in the University.

(2) Every such Board shall consist of,—

(a) for selections to the posts of Professors and to the post of Librarian—

(i) the Vice-Chancellor—Ex-Officio Chairman;

(ii) the Head of the Department concerned, if he is a Professor and if he is not Professor, a Professor from any other University in the State, nominated by the Chancellor;

(iii) three experts nominated by the Chancellor, two of whom from a panel furnished by the University Grants Commission and the other from amongst persons serving in any other University in the State;

(b) for selections to the posts of Readers and Lecturers—

(i) the Vice-Chancellor—Ex-Officio Chairman;

(ii) two experts nominated by the Chancellor;

(iii) one Head of the Department concerned if he is a Professor and if he is not a Professor, a Professor of any other University in the State nominated by the Chancellor; and

(iv) one Professor from any other University in the State nominated by the Chancellor where the Head of Department concerned is not a Professor.

(3) The Registrar shall act as the Secretary of the Board of Appointment.

(4) Every post of Professor, Librarian, Reader or Lecturer to be filled by selection shall be duly and widely advertised, together with the minimum and other qualifications, if any, required, the emoluments and the number of posts to be filled, and reasonable time shall be allowed within which the applicants may apply.

(5) The quorum for a meeting of the Board of Appointment shall be four of whom in the case of selections to the posts of Professors and the Librarian at least two shall be the experts and in the case of selections to the other posts, atleast one shall be the expert.

(6) The Board shall interview, adjudge the merit of each candidate in accordance with the qualifications advertised, prepare a list of persons selected arranged in the order of merit. It shall forward the list to the Chancellor who shall make appointments in accordance with the same.

(7) In preparing the list under sub-section (6) the Board shall follow the orders issued by the State Government from time to time in the matter of reservation of posts for the Scheduled Castes, the Scheduled Tribes and other backward classes of citizens.

(8) Notwithstanding anything in sub-section (7), preference shall be given to persons belonging to the Scheduled Castes and the Scheduled Tribes in any selection if in the opinion of the Board such persons possess merit a little above the minimum qualification prescribed and are suitable.

(9) Notwithstanding anything in the preceding subsections, appointments to the posts of Professors and Readers in under-graduate colleges maintained by the University shall be made by such authority as may be prescribed in the Statutes by promotion on the basis of seniority-cum-merit from Readers and Lecturers respectively.

51. Appointment of other non-ministerial staff—(1) There shall be constituted a Board of Appointment to

select candidates for appointment to the non-teaching posts other than ministerial posts in the University.

(2) The Board shall consist of—

(i) the Vice-Chancellor—Ex-officio—Chairman ;

(ii) the Registrar ;

(iii) one person who supervises the work of the section for which recruitment is made ;

(iv) two persons nominated by the Chancellor in consultation with the State Government, one of whom shall be a person belonging to the Scheduled Castes or the Scheduled Tribes and the other shall be a person belonging to any socially and educationally backward classes declared as such by the State Government or any religious or linguistic minority.

(3) Such of the posts as according to the Statutes are to be filled by direct recruitment shall be filled from among persons selected by the Board in the order in which their names are arranged in the list prepared by the Board. Appointment to posts by promotion shall be made after consulting the Board.

(4) While preparing the list of candidates selected for appointment to the direct recruitment vacancies, the Board shall comply with the orders issued by the State Government from time to time for reservation of posts for the Scheduled Castes, Scheduled Tribes and other backward classes of citizens.

(5) All appointments shall be made by the Chancellor.

52. Appointment of Ministerial Staff.—(1) Appointment to the ministerial posts in the University shall be made by the Vice-Chancellor from the list of candidates selected by the Karnataka Public Service Commission on a requisition made by the University.

(2) While preparing the list of candidates the Karnataka Public Service Commission shall comply with the

orders issued by the State Government from time to time for reservation of posts for the Scheduled Castes, Scheduled Tribes and other socially and educationaly backward classes of citizens.

(3) Notwithstanding anything in the Karnataka Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 (Karnataka Act 20 of 1959), the selection of candidates and the preparation and forwarding of the lists shall be an additional function entrusted to the Karnataka Public Service Commission.

(4) The Chancellor may, for administrative reasons, transfer any person holding a ministerial post in the University to any other University established under this Ordinance and the person transferred shall carry with him to the University to which he is transferred such conditions of service as may be specified in the order of transfer. Such person shall on transfer be deemed to be appointed by the competent authority of the other University. For purposes of ordering transfer under this sub-section the Chancellor shall be deemed to be the appointing authority in respect of the posts held by the person transferred.

CHAPTER IX

Affiliation of colleges and recognition of institutions

53. Affiliation of Colleges.—(1) Colleges within the University Area may, on satisfying the conditions specified in this section, be affiliated to the University as affiliated colleges by the State Government.

(2) A college applying for affiliation to the University shall send an application to the Registrar within the time limit fixed by Ordinances and shall satisfy the Syndicate and the Academic Council,—

(a) that it will supply a need in the locality, having regard to the type of education intended to be provided by

the college, the existing provision for the same type of education made by other colleges in the neighbourhood and the suitability of the locality where the college is to be established;

(b) that it is to be under the management of a regularly constituted governing body;

(c) that the strength and qualifications of the teaching staff and the condition governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;

(d) that the buildings in which the college is to be located are suitable and that provision will be made in conformity with the Ordinances for the residence in the college or in lodgings approved by the college, for students not residing with their parents or guardians and for the supervision and welfare of students;

(e) that due provision has been made or will be made for a library;

(f) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, Ordinances and Regulations for imparting instruction in the branch of science in a properly equipped laboratory or museum;

(g) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and members of the teaching staff in or near the college or the place provided for the residence of students;

(h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and

(i) that rules fixing the fees (if any) to be paid by the students have been framed or will be framed.

(3) The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirements not being fulfilled or continued to be fulfilled shall

be forthwith reported to the Syndicate and to the State Government or such authority as the State Government may specify.

(4) On receipt of a letter of application under sub-section (2), the Syndicate shall—

(a) direct a local inquiry to be made by a competent person or persons authorised by the Syndicate in this behalf in respect of such matters as may be deemed necessary and relevant;

(b) make such further inquiry as may appear to it be necessary; and

(c) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused, either in whole or in part, stating the result of any inquiry under clauses (a) and (b).

(5) The Registrar shall submit the application and all proceedings, if any, of the Academic Council and the Syndicate relating thereto to the State Government which after such inquiry as may appear to it to be necessary shall grant or refuse the application or any part thereof.

(6) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of instruction in respect of which the college is affiliated, and where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(7) As soon as possible after the State Government makes its order, the Registrar shall submit to the Senate a full report regarding the application, the action taken thereon under sub-sections (4) and (6) and of all proceedings connected therewith.

(8) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (5).

(9) Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure

prescribed by sub-sections (2) to (8) shall, so far as may be, followed.

54. Recognition of certain Institutions.—(1) Any institution in the University Area other than a College which conducts research or specified studies, may be recognised by the Syndicate as a recognised institution for such purpose and in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Any such recognition may be withdrawn either in whole or in part or modified in such manner and for such reasons as may be prescribed by the Statutes.

55. Inspection of colleges and reports.—(1) Every affiliated college shall furnish to the Registrar such reports, returns and other information as the Syndicate after consulting the Academic Council may require to enable it to judge the efficiency of the college or institution.

(2) The Syndicate shall cause every such college to be inspected from time to time by one or more competent persons authorised by it in this behalf.

(3) The Syndicate may call upon any college so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (2) of section 53.

56. Withdrawal of affiliation.—(1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to comply with any of the provisions of sub-section (2) of section 53 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion

shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the Principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by Syndicate :

Provided that the period so specified may, if necessary be extended by the Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3) the Syndicate after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by the Syndicate in this behalf and such further inquiry as may appear to it to be necessary and after consulting the Academic Council shall make a report to the Senate.

(5) On receipt of the report under sub-section (4) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter:

Provided that no resolution of the Senate recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at a meeting of the Senate, such majority comprising not less than one-half of the members of the Senate.

(6) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Syndicate and the Senate relating thereto, to the State Government which after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deem fit.

(7) Where by an order made under sub-section (6), the rights conferred by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

CHAPTER X

Enrolment and Degrees

57. Eligibility for admission of students.—No student shall be eligible for admission to a course of study for a degree or diploma unless he possesses such qualification as may be prescribed.

58. Residence of students.—Every student of the University shall reside in a hostel recognised by the University or under such conditions as may be prescribed by the Ordinances.

59. Honorary Degrees.—If not less than two-thirds of the members of the Syndicate recommend that an Honorary Degree or academic distinction be conferred on any person on the ground that he is in their opinion, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction the Senate may by a resolution decide that the same may be conferred on the person recommended.

60. Withdrawal of Degree or Diploma.—(1) The Senate may on the recommendation of the Syndicate withdraw any distinction, degree, diploma or privilege conferred on or granted to any person, by a resolution passed by a majority of the total membership of the Senate and by a majority of not less than two-thirds of the members of the Senate present and voting at the meeting, if such person has been found convicted by a court of law for an offence which, in the opinion of the Senate, involves moral turpitude or if he has been guilty of gross misconduct.

(2) No action under this section shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

(3) A copy of the resolution passed by the Senate shall be immediately sent to the person concerned.

(4) Any person aggrieved by the decision taken by the Senate may appeal to the Chancellor through the State Government within thirty days from the date of receipt of such resolution.

(5) The decision of the Chancellor on such appeal shall be final.

CHAPTER XI

University Review Commission

61. Appointment of a University Review Commission.—(1) The Chancellor shall once at least in every five years constitute a Commission to review the working of the University and make recommendations.

(2) The Commission shall consist of not less than three eminent educationists, one of whom shall be the Chairman, appointed by the Chancellor in consultation with the State Government.

(3) The terms and conditions of appointment of the members shall be such as the Chancellor may, in consultation with the State Government, determine.

(4) The Commission shall after holding such enquiry as it deems fit make a report of its recommendations to the Chancellor through the State Government.

(5) The Chancellor may, in consultation with the State Government, take such action on the recommendation as he deems fit.

(6) The State Government shall lay a copy of the report together with the memorandum indicating the action taken, before both Houses of the State Legislature.

CHAPTER XII

Miscellaneous and Transitory Provisions.

62. **Discipline.**—(1) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in that behalf shall be carried out by the Heads of Colleges, hostels and other institutions.

(2) Notwithstanding anything contained in sub-section (1), the punishment of debarring a student from examinations or rustication from a college or hostel or institution shall, on the report of the Vice-Chancellor, be considered and imposed by the Syndicate:

Provided that no such punishment shall be imposed without giving to the student concerned a reasonable opportunity to show cause against the action proposed to be taken against him.

63. **Seniority.**—Whenever in accordance with this Ordinance or the Statutes any person is to hold an office or be a member of any Authority or body of the University by rotation according to seniority, such seniority shall be determined by the order in which the names are arranged in the seniority list pertaining to that cadre or class of posts.

64. **Validity of proceedings, etc.**—(1) No disqualification of or defect in the election or appointment of any person as a member of any Authority or body of the University shall be deemed to vitiate any act or proceeding of such Authority or body in which such person has taken part, whenever the majority who were parties to such act or proceeding were entitled to act.

(2) No resolution of any authority or body of the University shall be deemed invalid on account of any irregularity in the service of notice upon any member, provided that the proceedings of such Authority or body were not prejudicially affected by such irregularity.

(3) During any vacancy in any Authority or body of the University, the continuing members may act as if no vacancy had occurred.

(4) No act done or proceeding taken under this Ordinance shall be questioned on the ground merely of any defect or irregularity not affecting the merits of the case.

65. **Ordinance to prevail over other enactments.** — This Ordinance and any Statute or Regulation or Ordinances made thereunder shall in respect of any college in the University Area have effect notwitihstanding anything inconsistant therewith contained in any other enactment with respect to matters enumerated in List II of the Seventh Schedule to the Constitution of India.

66. **Protection of acts done in good faith.**— No suit or other legal proceeding shall lie against and no damages shall be claimed from, the University or its Authorities, bodies or officers for anything which is in good faith done or intended to be done in pursuance of this Ordinance, the Statutes, Ordinances, Regulations or Rules made thereunder.

67. **Relations of affiliated colleges with the University.**—The relations of the affiliated colleges with the University shall be governed by the Statutes to be made in that behalf and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the college affiliated to the University:—

(1) to lay down minimum educational qualifications for the different classess of teachers and tutorial staff employed by such colleges;

(2) to co-ordinate and regulate the facilities provided and expenditure incurred by such colleges in regard to libraries, laboratories and other equipments for teaching and research;

(3) to regulate conditions of service of teachers of such colleges including the grant of leave with or without allowances and the constitution of pension, insurance and provident funds for the benefit of such teachers; and

(4) to require satisfactory arrangements for tutorial and similar other work in such colleges and to inspect such arrangements from time to time:

Provided that such colleges shall supplement such teaching by tutorial or other institution or training in a manner to be prescribed by the Regulations to be made by the Academic Council.

68. Dispute as to constitution of University authorities and bodies.—If any question arises whether any person has duly become or is entitled to be a member of the Syndicate or the Academic Council, the matter shall be referred to the Chancellor through the State Government whose decision thereon shall be final.

69. Transfer of colleges to the University and other provisions connected with or incidental to such transfer.—(1) The State Government may, by order, published in the official Gazette transfer to the University with effect from such date and subject to such condition as may be specified in the order, any of its colleges, any hostel or other building of such college and the articles of furniture, library, books, laboratory, stores, instruments, apparatus, appliances and equipments of such college. Upon the publication of such order, the college shall become a college maintained and administered by the University as its college and the properties mentioned in the order shall become the properties of the University:

Provided that until arrangements are made by the University, the State Government shall be and continue to be responsible for keeping the transferred buildings of the said college, including fixtures, fittings and connections in a proper state of repairs, as may from time to time be required by the University.

(2) Nothing in this Ordinance shall be deemed to authorise the University to sell, lease, exchange or otherwise dispose of any land or building transferred to the University under sub-section (1) or under sub-section (4) of section 5.

(3) Where any college has been transferred to the maintenance and control of the University by an order

under sub-section (1), then, notwithstanding anything contained in this Ordinance—

(a) all members of the teaching staff and other servants of the State Government who, immediately before the date of the publication of the said order, were serving in or were attached to that college shall stand transferred to the appropriate cadre or category of posts in the University;

(b) the University shall, consider in consultation with the state Government, the claims to appointment in the University of such teachers employed in any other educational institutions either within or without the territorial limits of the University as were in the service of the State Government immediately before the date of such transfer in vacancies which in the event of such vacancies being filled by appointment or promotion of the teachers in the University who were immediately before the date of such transfer in the service of the State Government, may involve the supersession of the claims of the teachers employed in the educational institutions referred to above.

70. Removal of difficulties at the commencement of this Ordinance.—If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any Authority of the University or otherwise in first giving effect to the provisions of this Ordinance or the Statutes the Chancellor may, at any time before all authorities of the University have been constituted, by order make any appointment or do anything consistent, so far as may be with the provisions of this Ordinance and the Statutes, which appear to him necessary or expedient for the purpose of removing the difficulty and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Ordinance:

Provided that, before making any such order, the Chancellor shall ascertain and consider the opinion of the Vice-Chancellor and of such of the appropriate authorities of the University as may have been constituted, on the proposed order.

71. Transitory provisions.—Notwithstanding anything contained in this Ordinance, the Vice-Chancellor may, with the previous approval of the Chancellor and subject to the provision of funds by the State Government or otherwise, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Ordinance and for that purpose may exercise any powers or perform any duties which by this Ordinance are to be exercised or performed by any Authority of the University, until such Authority comes into existence as provided by this Ordinance.

72. Continuance of Statutes, Ordinances, etc.–(1) Until Statutes, Ordinances, Regulations and Rules are made under the appropriate provisions of this Ordinance, the Statutes, Ordinances, Regulations and Rules which were in force under the Bangalore University Act, 1964 (Karnataka Act 26 of 1964), the Karnatak University Act, 1949 (Bombay Act 20 of 1949) and the Mysore University Act, 1956 (Mysore Act 23 of 1956), immediately before the commencement of this Ordinance shall, subject to such adaptations or modifications as may be made therein by the Vice-Chancellor with the approval of the Chancellor obtained through the State Government in so far as they are not inconsistent with the provisions of this Ordinance be deemed to be Statutes, Ordinances, Regulations and Rules made under the appropriate provisions of this Ordinance.

(2) The person holding the office of the Vice-Chancellor of the Bangalore University, the Karnatak University and the Mysore University on the date of commencement of this Ordinance shall continue to hold office till the date he would have held that office if this Ordinance had not been passed.

73. Vice-Chancellor to take necessary action for selection, appointment, nomination and co-option of members to the Senate, Syndicate and the Academic Council.—The Vice-Chancellor shall take necessary action for elections being held, appointments, nominations and co-

options being made, under this Ordinance so that the Senate, the Syndicate, the Academic Council and other authorities shall come into existence not later than six months from the appointed date.

74. Saving as to certain examinations.—Notwithstanding anything contained in this Ordinance, the Statutes, Ordinances or the Regulations—

(a) any student who immediately prior to the commencement of this Ordinance was studying for a degree of the Bangalore University, the Karnatak University or the Mysore University established under the Bangalore University Act, 1964, the Karnatak University Act, 1949 and the Mysore University Act, 1956, in accordance with the Regulations in force under those Acts, may until such examination is provided by the University, be admitted to the examination of the Universties of Bangalore, Karnataka and Mysore established and incorporated under section 3 and be conferred the degree of the latter Universities for which he qualifies on the result of such examination;

(b) if the Bangalore University, the Karnatak University or the Mysore University established under the Bangalore University Act, 1964, the Karnatak University Act, 1949 and the Mysore University Act, 1956 has held any examination the result of which has been published but the degrees relating thereto have not been conferred or issued or the result of any such examination has not been published by the said University, then such examination shall be deemed to have been held by the Bangalore University, the Karnataka University or the Mysore University established and incorporated under section 3.

75. Repeal.—The Bangalore University Act, 1964, the Karnatak University Act, 1949 and the Mysore University Act, 1956, are hereby repealed and on such repeal all authorities of the Universities established under the said Acts shall stand dissolved and the members thereof shall cease to be members.

(2) Notwthstanding such repeal. all payments made, orders issued, degrees, conferred or issued privileges granted or other things done under such enactments and in force immediately before the appointed date shall, so far as they are not inconsistent with this Ordinance, be deemed to have been respectively made, issued, conferred, granted or done under this Ordinance.

(3) Notwithstanding the repeal of the Acts referred to in sub-section (1), the State Government shall have the right to cause the accounts of the Universities established and incorporated under the said Acts to be audited by such agency as it thinks fit and on the receipt of the audited report to take such action thereon as it may consider necessary.

MOHANLAL SUKHADIA,

Governor of Karnataka.

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,
Draftsman and **Ex-Officio**
Joint Secretary to Government,
Department of Law and
Parliamentary Affairs.